

ASSEMBLY BILL

No. 1951

Introduced by Assembly Member Benoit

February 12, 2004

An act to amend Section 21461 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1951, as introduced, Benoit. Traffic signs or signals.

Existing law makes it a crime for a driver of a vehicle to fail to obey signs or signals erected or maintained to carry out the Vehicle Code or local traffic ordinances or regulations or fail to obey certain traffic devices erected and maintained pursuant to a specific statute.

This bill would expand the scope of this provision to include the failure to obey a sign or signal of a regulatory nature that is erected or maintained to enhance traffic safety operations and would include the failure to obey a device erected or maintained by lawful authority of a public body or official, rather than pursuant to a specific statute. Because this bill would expand the scope of an existing crime, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

SECTION 1. Section 21461 of the Vehicle Code is amended to read:

21461. (a) It ~~shall be~~ is unlawful for ~~any~~ a driver of a vehicle to fail to obey ~~any~~ a sign or signal *of a regulatory nature* erected or maintained to *enhance traffic safety and operations or to* indicate and carry out the provisions of this code or ~~any~~ a local traffic ordinance or resolution adopted pursuant to a local traffic ordinance, or to fail to obey ~~any~~ a device erected or maintained ~~pursuant to Section 21352 by lawful authority of a public body or official.~~

(b) ~~The provisions of subdivision~~ Subdivision (a) ~~shall~~ does not apply to acts constituting violations under Chapter 9 (commencing with Section 22500) of this division or to acts constituting violations of ~~any~~ a local traffic ordinance adopted pursuant to Chapter 9 (commencing with Section 22500).

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

